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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/821,746

04/09/2004

Mark A. Piwonka

200313976-1

2449

22879

7590

04/03/2008

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INTELLECTUAL PROPERTY ADMINISTRATION  
FORT COLLINS, CO 80527-2400

EXAMINER

PERUNGA VOOR, VENKATANARAY

ART UNIT

PAPER NUMBER

2132

NOTIFICATION DATE

DELIVERY MODE

04/03/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM  
mkraft@hp.com  
ipa.mail@hp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/821,746	<b>Applicant(s)</b> PIWONKA ET AL.	
	<b>Examiner</b> Venkat Perungavoor	<b>Art Unit</b> 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed 1/15/2008 have been fully considered but they are not persuasive.

The Applicant mentions that the hidden port of Thayer is not undetectable by the operating system. That is, the hidden port of Thayer is not hidden from the operating system.

Thayer discloses the hidden port being inaccessible and can only be accessed to opening up the computer see Par. 0026. And further the computer having the port only for I/O operations and debugging purposes thus effectively closing it off from the operating system see Par. 0015.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 101***

Claims 1-9, 21-26 rejected under 35 U.S.C. 101 because

The claimed invention is directed to non-statutory subject matter. Claims 1-9 recites a system that includes logic described as a software see Page 3 Par. 0016.

The claimed invention is directed to non-statutory subject matter. Claims 21-24 recites a medium described as signals see Page 3 Par. 0014.

The claimed invention is directed to non-statutory subject matter. Claim 25-26 recites means that can be software see Page 2 Par. 0012.

***Claim Rejections - 35 USC § 102***

Claims 1-3, 5-7, 9-12, 15-18, 21-28 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2002/0116604 A1 to Thayer.

Regarding Claim 1, 16, 21,25, 27, Thayer discloses the securing of one or more ports of a computing device that includes a configuration logic configured to provide a security option for securing one or more selected ports see Par. 0026 & Par. 0029 & Par. 0042-0043 & Par. 0046(the debugging is akin to securely accessing code); and a security logic configured to, in response to the security option being selected, cause the data store to be modified by changing the port count to specify a fewer number of physical ports to cause an operating system to not detect the one or more ports see Par. 0057-0061(Thayer discloses the ports being labeled user-inaccessible, user-invisible among others) & Par. 0053.

Regarding Claim 2, 15, 22, Thayer discloses the register configured to store host controller structural parameters based on enhanced host controller interface specification see Par. 0012 &Par. 0015.

Regarding Claim 3, 5-6, 11-12, 17-18, 26, 28. Thayer discloses the port count and having the some ports modified to hide the selected ports see Par. 0049-0050.

Regarding Claim 7, Thayer discloses the graphical user interface see Fig. 3.

Regarding Claim 9, Thayer discloses the front ports of the computing device see Fig. 1A & 1B.

Regarding Claim 10, Thayer discloses the housing see Fig. 1A; one or more processors see Fig. 1A item 108; one or more ports positioned on the housing and being accessible by a user to connect an external device see Fig. 1D & Fig. 1A item 116; one or more back ports, positioned on the housing, being configured to connect external device see Fig. 1A item 112; a structural parameter configured to indicate total number of ports and prohibiting operation of some of the ports see Fig. 1A item 110 ; operating system configured to enumerate ports and the front ports to be undetectable by the operating system see Par. 0057-0061 (Thayer discloses the ports being labeled user-inaccessible, user-invisible among others) & Par. 0053.

Regarding Claim 20, 23, Thayer discloses the different modes of operation see Fig. 3.

### ***Claim Rejections - 35 USC § 103***

Claims 4, 8, 13-14, 19, 24, 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0116604 A1 to Thayer in view of US Patent Publication 2005/0010811 A1 to Zimmer et al. (hereinafter Zimmer)

Regarding Claim 4, 14, 19, 24, Thayer does not disclose the companion controllers associated with ports, the security logic configured for operating system unaware of the companion controller. However, Zimmer discloses the companion controllers associated with ports, the security logic configured for operating system unaware of the companion controller see Fig. 8 item 442, 436, 434 & Abstract. It would be obvious to one having ordinary skill in the art at the time of the invention to include the companion controllers associated with ports, the security logic configured for operating system unaware of the companion controller in the invention of Thayer in order to for controllers to perform special operations as taught in Par. 0022.

Regarding Claim 8, 13, 29-30, Thayer does not disclose the configuration logic and security logic. However, Zimmer discloses the configuration logic and security logic see Par. 0019 & Par. 0024. It would be obvious to one having ordinary skill in the art at the time of the invention to include the configuration logic and security logic in the invention of Thayer in order to extending the functionality of BIOS as taught in see Par. 0033.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is (571)272-7213. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. P./

Examiner, Art Unit 2132

March 28, 2008

/Gilberto Barron Jr/

Supervisory Patent Examiner, Art Unit 2132